



TOWN OF JACKSON PLANNING & BUILDING DEPARTMENT

TRANSMITTAL MEMO

Town of Jackson

- ☒ Public Works/Engineering
- ☒ Building
- ☐ Title Company
- ☒ Town Attorney
- ☒ Police

Joint Town/County

- ☒ Parks and Recreation
- ☒ Pathways
- ☒ Housing Department

Teton County

- ☐ Planning Division

- ☐ Engineer
- ☐ Surveyor- *Nelson*
- ☐ Assessor
- ☐ Clerk and Recorder
- ☐ Road and Levee

State of Wyoming

- ☐ Teton Conservation
- ☐ WYDOT
- ☐ TC School District #1
- ☐ Game and Fish
- ☐ DEQ

Federal Agencies

- ☐ Army Corp of Engineers

Utility Providers

- ☐ Qwest
- ☐ Lower Valley Energy
- ☐ Bresnan Communications

Special Districts

- ☒ START
- ☒ Jackson Hole Fire/EMS
- ☐ Irrigation Company

Date: November 21, 2018	REQUESTS: The applicant is submitting a request for an Amendment to the Development Plan for Westview Townhomes located at 1255 West Highway, legally known as PT SW1/4NE1/4, SEC. 32, TWP. 41, RNG. 116. For questions, please call Tyler Valentine at 733-0440, x1305 or email to the address shown below. Thank you.
Item #: P18-330	
Planner: Tyler Valentine Phone: 733-0440 ext. 1305 Fax: 734-3563 Email: tvalentine@jacksonwy.gov	
Owner: F.S.D. Investments, LLC PO Box 9879 Jackson, WY 83002 Applicant: Fodor Law Office PO Box 551 Jackson, WY 83001	
Please respond by: December 4, 2018 (Sufficiency) December 11, 2018 (with Comments)	

RESPONSE: For Departments not using Trak-it, please send responses via email to: tstolte@jacksonwy.gov



PLANNING PERMIT APPLICATION
Planning & Building Department
Planning Division

150 E Pearl Ave. | ph: (307) 733-0440
P.O. Box 1687 | fax: (307) 734-3563
Jackson, WY 83001 | www.townofjackson.com

For Office Use Only

Fees Paid _____
Check # _____ Credit Card _____ Cash _____
Application #s _____

PROJECT.

Name/Description: West View Townhomes
Physical Address: 1255 West Highway 22
Lot, Subdivision: _____ PIDN: 22-41-16-32-1-00-008

OWNER.

Name: F.S.D. Investments, LLC Phone: _____
Mailing Address: P.O. Box 9879, Jackson, WY ZIP: 83002
E-mail: _____

APPLICANT/AGENT.

Name: Fodor Law Office Phone: 307-733-2880
Mailing Address: P.O. Box 551, Jackson, WY ZIP: 83001
E-mail: sfedor@fodorlaw.com

DESIGNATED PRIMARY CONTACT.

____ Owner ☒ Applicant/Agent

TYPE OF APPLICATION. Please check all that apply; see Fee Schedule for applicable fees.

Use Permit	Physical Development	Interpretations
____ Basic Use	____ Sketch Plan	____ Formal Interpretation
____ Conditional Use	<input checked="" type="checkbox"/> Development Plan <u>Amendment</u>	____ Zoning Compliance Verification
____ Special Use		
Relief from the LDRs	Development Option/Subdivision	Amendments to the LDRs
____ Administrative Adjustment	____ Development Option Plan	____ LDR Text Amendment
____ Variance	____ Subdivision Plat	____ Zoning Map Amendment
____ Beneficial Use Determination	____ Boundary Adjustment (replat)	____ Planned Unit Development
____ Appeal of an Admin. Decision	____ Boundary Adjustment (no plat)	____ Other: _____

PRE-SUBMITTAL STEPS. Pre-submittal steps, such as a pre-application conference, environmental analysis, or neighborhood meeting, are required before application submittal for some application types. See Section 8.1.5, Summary of Procedures, for requirements applicable to your application package. If a pre-submittal step is required, please provide the information below. If you need assistance locating the project number or other information related to a pre-submittal step, contact the Planning Department. **If this application is amending a previous approval, indicate the original permit number.**

Pre-application Conference #: _____

Environmental Analysis #: _____

Original Permit #: _____

216-085

Date of Neighborhood Meeting: _____

SUBMITTAL REQUIREMENTS. Please ensure all submittal requirements are included. The Planning Department will not hold or process incomplete applications. Partial or incomplete applications will be returned to the applicant. Provide **one electronic copy** (via email or thumb drive), and **two hard copies** of the submittal packet.

Have you attached the following?

_____ **Application Fee.** Fees are cumulative. Applications for multiple types of permits, or for multiple permits of the same type, require multiple fees. See the currently adopted Fee Schedule in the Administrative Manual for more information.

_____ **Notarized Letter of Authorization.** A notarized letter of consent from the landowner is required if the applicant is not the owner, or if an agent is applying on behalf of the landowner. If the owner is a partnership or corporation, proof that the owner can sign on behalf of the partnership or corporation is also required. Please see the Letter of Authorization template in the Administrative Manual for a sample.

_____ **Response to Submittal Requirements.** The submittal requirements can be found on the TOJ website for the specific application. If a pre-application conference is held, the submittal requirements will be reviewed at the conference followed by a written summary. The submittal requirements on the TOJ website are intended as a reference to assist you in submitting a sufficient application.

FORMAT.

The main component of any application is demonstration of compliance with all applicable Land Development Regulations (LDRs) and Resolutions. The submittal checklists are intended to identify applicable LDR standards and to outline the information that must be submitted to sufficiently address compliance with those standards.

For some submittal components, minimum standards and formatting requirements have been established. Those are referenced on the checklists where applicable. For all other submittal components, the applicant may choose to make use of narrative statements, maps, drawings, plans and specifications, tables and/or calculations to best demonstrate compliance with a particular standard.

Note: Information provided by the applicant or other review agencies during the planning process may identify other requirements that were not evident at the time of application submittal or a Pre-Application Conference, if held. Staff may request additional materials during review as needed to determine compliance with the LDRs.

Under penalty of perjury, I hereby certify that I have read this application and associated checklists and state that, to the best of my knowledge, all information submitted in this request is true and correct. I agree to comply with all county and state laws relating to the subject matter of this application, and hereby authorize representatives of Teton County to enter upon the above-mentioned property during normal business hours, after making a reasonable effort to contact the owner/applicant prior to entering.

Signature of Owner or Authorized Applicant/Agent _____

11/19/18

Name Printed _____

SS FORDON

Auth Agent

Title _____

AMENDMENT TO DEVELOPMENT PLAN CONDITION APPLICATION

F.S.D. Investments, LLC
1255 W Highway 22, Jackson, WY
(PIDN: 22-41-16-32-1-00-008)

Submitted on: November 14, 2018

Submitted to: Town Council

Applicant: F.S.D. Investments, LLC
P.O. Box 9879
Jackson, WY 83002

Fodor Law Office
Stefan J. Fodor
P.O. Box 551
Jackson, WY 83001

Statement of Request:

The Applicant is seeking to amend Condition #3 of the approved Development Plan for the West View Townhomes (the "Housing Mitigation Condition"). Specifically the Applicant is seeking to amend the Housing Mitigation Condition so that the use, occupancy and ownership of the 16 workforce housing units that are to be constructed as part of the development (the "Units") are governed by the Special Workforce Housing Rental Restrictions and Special Workforce Housing Ownership Restrictions that have been approved by the Jackson Town Council on November 5, 2018.

Under the current Housing Mitigation Condition, the use and occupancy of the Units is governed by Special Restrictions that use a master lease approach to renting/leasing the Units. Under this approach, all 16 Units must be leased to a single employer in Teton County, who in turn rents the Units to its employees and only its employees. This is an approach that has never been used before by the Town of Jackson or Teton County. This unique approach was approved by Town Council in consideration of the original applicant agreeing to go above and beyond its housing mitigation responsibilities.

The Applicant is requesting that the Housing Mitigation Condition be amended so that the Special Restrictions that govern the use, occupancy and ownership of the Units changes from the master lease approach to Special Workforce Housing Rental Restriction and Special Workforce Ownership Restriction. This amendment would allow for the Units to be rented or sold directly to any individual who meets the Jackson/Teton County Housing Authority's qualification standards for workforce housing rather than to a master tenant who in turn rents/leases the Units to its employees. If permitted, this amendment will: (1) reduce potential vacancies in the Units, (2) increase flexibility, (3) serve a broader swath of the community, and (4) decrease the compliance monitoring burden on the Housing Department, all while serving to further the Town and County's goal of housing 65% of the workforce within the Town and County boundaries.

The master lease approach does not account for the possibility that the master tenant/employer will not need all of the Units to house its employees. This in turn means there is a risk of leaving some of the Units vacant from time to time. The master lease approach is also inequitable, in that it benefits only one employer in the community and that employer's employees. The lack of workforce housing in the Town of Jackson and Teton County is a detriment felt by employers and employees in all sectors of our community's economy. Switching from the master lease approach to the general approach will mean that the Units can serve a broader swath of the community and not just one single employer. Additionally, the amendment will alleviate the Housing Department's burden of monitoring compliance. As mentioned above, the master lease approach has never been used in the Town of Jackson or Teton County. By amending the Housing Mitigation Condition, the Housing Department will be able to monitor compliance consistently with all other workforce housing deed restricted units in the community.

For the foregoing reasons, the Applicant asks that Town Council amend the Housing Mitigation Condition for the West View Townhomes so that the use, occupancy and ownership of the Units is governed by Jackson/Teton County Housing Authority's Special Restrictions for Workforce Rental Housing and Special Restrictions for Workforce Ownership Restrictions, as approved by Town Council.

Teton County Planning and Development
200 S. Willow, P.O. Box 1727
Jackson, WY 83001
Phone (307)733-7030 Fax (307) 739-9208



LETTER OF AUTHORIZATION BY OWNER

THE LETTER OF AUTHORIZATION IS TO BE SUBMITTED ONLY IF THE APPLICANT/AGENT IS NOT THE RECORDED OWNER OF THE PROPERTY. THE RECORDED OWNER MUST SIGN THE LETTER OF AUTHORIZATION AND HAVE IT NOTARIZED.

OWNER, CO-OWNER, OR CORPORATE OWNER:

Name: F.S.D. Investments, LLC
Physical Address of Property: 1255 W Highway 22, Jackson, WY 83001
Mailing Address: P.O. Box 9879, Jackson, WY
Zip code: 83002 Phone: _____
Email: _____

AGENT OR CONTRACTOR: (If authorizing Agent and Contractor, fill out a form for each)

Name: Fodor Law Office, PC - Stefan Fodor
Mailing Address: PO Box 551, Jackson, WY
Zip code: 83001 Phone: 307-733-2880
Email: stefan@fodorlaw.com

Owner, Co-Owner, or Corporate Owner, ("Owner") which property is specifically described as PIDN 22-41-16-32-1-00-008

hereby authorizes Agent or Contractor, as stated above, to represent and/or act for Owner in making application for, receiving, and accepting on Owner's behalf, any permits or other action by the Teton County Commissioners, Planning and Development, Building, and/or Engineering Departments relating to Owner's Property in Teton County, and the modification, development, planning, platting, replatting, improvements, use or occupancy of land, or energy mitigation in Teton County. Owner acknowledges and agrees to be bound and must abide by the written terms or conditions of issuance of any such named Agent or Contractor, whether actually delivered to Owner or not. Owner agrees that no modification, development, planning, platting or replatting, improvements, use or occupancy of land, or energy mitigation involved in any application, as it relates to Owner's Property, shall take place until approved by the appropriate official(s) of Teton County, in accordance with all applicable codes and regulations. Owner agrees to pay any fines and/or mitigation fees to Teton County and will be liable for any other penalties arising out of the failure to comply with the terms of any permit or arising out of any violation of the applicable laws, codes, and/or regulations applicable to the action sought to be permitted by the application authorized herein. Owner agrees and authorizes Agent or Contractor to pay any fines and/or mitigation fees to Teton County and for the Agent or Contractor to accept and receive any reimbursement or fee payments due to Owner from Teton County, including but not limited to energy mitigation fees.

Under penalty of perjury, the undersigned swears that the foregoing is true and correct, and if signing on behalf of co-owners, multiple owners, corporation, partnership, limited liability company, or other entity, the undersigned hereby swears that this authorization is given, to the full extent required, with the necessary and appropriate approval, which authorizes the undersigned to act on behalf of such entity and/or owners.

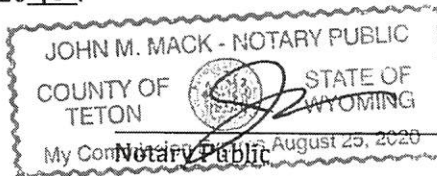
OWNER, CO-OWNER, CORPORATE OWNER:

Print Name: Charlie Schwartz
Signature: [Signature]
Title: OWNER FSD LLC

STATE OF Wyoming
COUNTY OF Teton SS.

Subscribed and sworn to before me by Charlie Schwartz this
9th day of November, 2018.

WITNESS my hand and official seal.



My commission expires:
8/25/20

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, that **Spring Gulch Partners, LLC, a Wyoming Limited Liability Company**, GRANTOR, of Teton County, Wyoming, for Ten Dollars (\$10.00) and other valuable consideration in hand paid, receipt of which is hereby acknowledged, CONVEYS and WARRANTS unto, **F. S. D. Investments, LLC, a Wyoming Limited Liability Company**, GRANTEE, whose mailing address is P.O. Box 9879, Jackson, WY 83002, the following described real property situated in the County of Teton, State of Wyoming, hereby releasing and waiving all rights under and by virtue of the homestead exemption laws of the State of Wyoming, to-wit:

See Legal Description attached hereto as Exhibit A and incorporated herein.

Including and together with all and singular the tenements, hereditaments, appurtenances and improvements thereon or thereunto belonging, but subject to taxes, reservations, covenants, conditions, restrictions, rights-of-way, and easements of sight and record, if any.

State Parcel ID No.: 22-41-16-32-1-00-008

WITNESS my hand this 28 day of May, 2008.

RELEASED	<input checked="" type="checkbox"/>
INDEXED	<input checked="" type="checkbox"/>
ABSTRACTED	<input checked="" type="checkbox"/>
SCANNED	<input type="checkbox"/>

**Spring Gulch Partners, LLC,
a Wyoming Limited Liability Company**

**By: Wyoming Land and Cattle Company,
LLC a Delaware limited liability company
It's Sole Member**

**By: Richard T. Fields
Its: Manager**

GRANTOR: SPRING GULCH PARTNERS LLC
GRANTEE: F S D INVESTMENTS LLC
Doc 0730434 bk 700 pg 143-144 Filed At 12:41 ON 05/30/08
Sherry L. Daigle Teton County Clerk fees: 11.00
By Mary Smith Deputy

STATE OF Wyoming)
COUNTY OF Teton) ss.

Richard T. Fields, as Manager of Wyoming Land and Cattle Company, LLC a Delaware limited liability company the sole member of Spring Gulch Partners, LLC, a Wyoming Limited Liability Company under the authority and on behalf of said Company as its free act and deed acknowledged the foregoing Warranty

EXHIBIT "A"
LEGAL DESCRIPTION

A TRACT OF LAND LYING WITHIN THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 32, TOWNSHIP 41 NORTH, RANGE 116 WEST, TETON COUNTY, WYOMING AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTHERLY RIGHT-OF-WAY OF STATE HIGHWAY 22, SAID POINT BEING MARKED BY A CONCRETE RIGHT-OF-WAY MARKER WITH BRASS CAP AND LYING SOUTH 18 DEGREES 36' 30" EAST, 1481.15 FEET FROM THE NORTH QUARTER CORNER OF SAID SECTION 32;

THENCE NORTH 67 DEGREES 13' 30" EAST, 25.35 FEET ALONG THE RIGHT-OF-WAY OF SAID HIGHWAY 22 TO A POINT MARKED BY A CONCRETE RIGHT-OF-WAY MARKER WITH BRASS CAP;

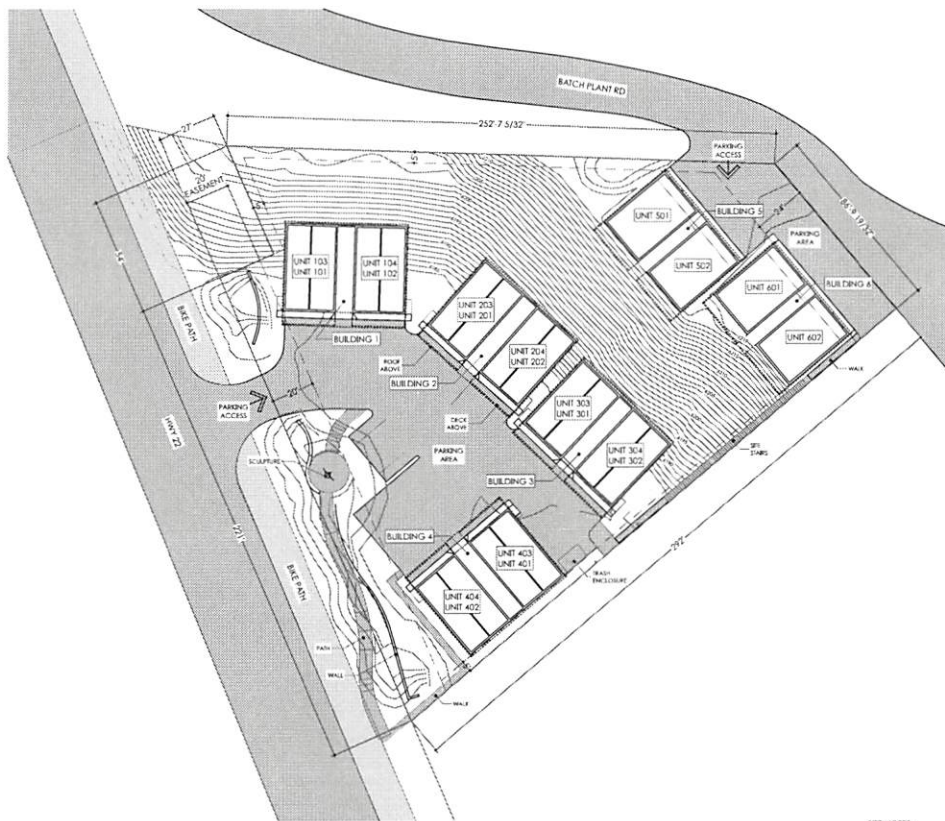
THENCE NORTH 23 DEGREES 36' 30" WEST, 54.13 FEET ALONG THE RIGHT-OF-WAY OF SAID HIGHWAY 22 TO A POINT MARKED BY A 5/8" DIAMETER BY 16" LONG STEEL REINFORCING BAR WITH SURV-KAP INSCRIBED: "NELSON ENGR PE & LS 578", SAID POINT LYING ON THE NORTH LINE OF SAID SOUTHWEST QUARTER OF THE NORTHEAST QUARTER;

THENCE SOUTH 88 DEGREES 35' EAST, 253.63 FEET ALONG THE NORTH LINE OF SAID SOUTHWEST QUARTER OF THE NORTHEAST QUARTER TO A POINT MARKED BY A 5/8" DIAMETER BY 16" LONG STEEL REINFORCING BAR WITH SURV-KAP INSCRIBED: "NELSON ENGR PE & LS 578";

THENCE SOUTH 40 DEGREES 11' 30" EAST, 86.66 FEET TO A POINT MARKED BY A 3/8" DIAMETER BY 12" LONG STEEL SPIKE;

THENCE SOUTH 49 DEGREES 31' WEST, 292.50 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY OF SAID HIGHWAY 22 AND MARKED BY A 5/8" DIAMETER BY 16" LONG STEEL REINFORCING BAR WITH SURV-KAP INSCRIBED: "NELSON ENGR PE & LS 578";

THENCE NORTH 23 DEGREES 36' 30" WEST, 221.50 FEET ALONG THE NORTHERLY RIGHT-OF-WAY OF SAID HIGHWAY 22 TO THE POINT OF BEGINNING.



- SEE NOTES:
1. BUILDINGS 1-4 ARE THE 2BR UNITS & BUILDINGS 5-6 ARE THE 3BR UNITS.
 2. SEE CIVIL DRAWINGS FOR GRADING & UTILITIES.
 3. SEE LANDSCAPE DRAWINGS FOR LANDSCAPE DESIGN.



SITE PLAN
SCALE: 1" = 20'

da

DESIGN ADDENDUM NO. 10, JANUARY 2011
101.000.00 01.10.000.00
01.10.000.00



NO.	DATE	DESCRIPTION
1	01.10.000.00	01.10.000.00
2	01.10.000.00	01.10.000.00
3	01.10.000.00	01.10.000.00
4	01.10.000.00	01.10.000.00
5	01.10.000.00	01.10.000.00
6	01.10.000.00	01.10.000.00
7	01.10.000.00	01.10.000.00
8	01.10.000.00	01.10.000.00
9	01.10.000.00	01.10.000.00
10	01.10.000.00	01.10.000.00

WESTVIEW TOWN HOMES
1255 WEST HWY 22
JACKSON, WY

A100

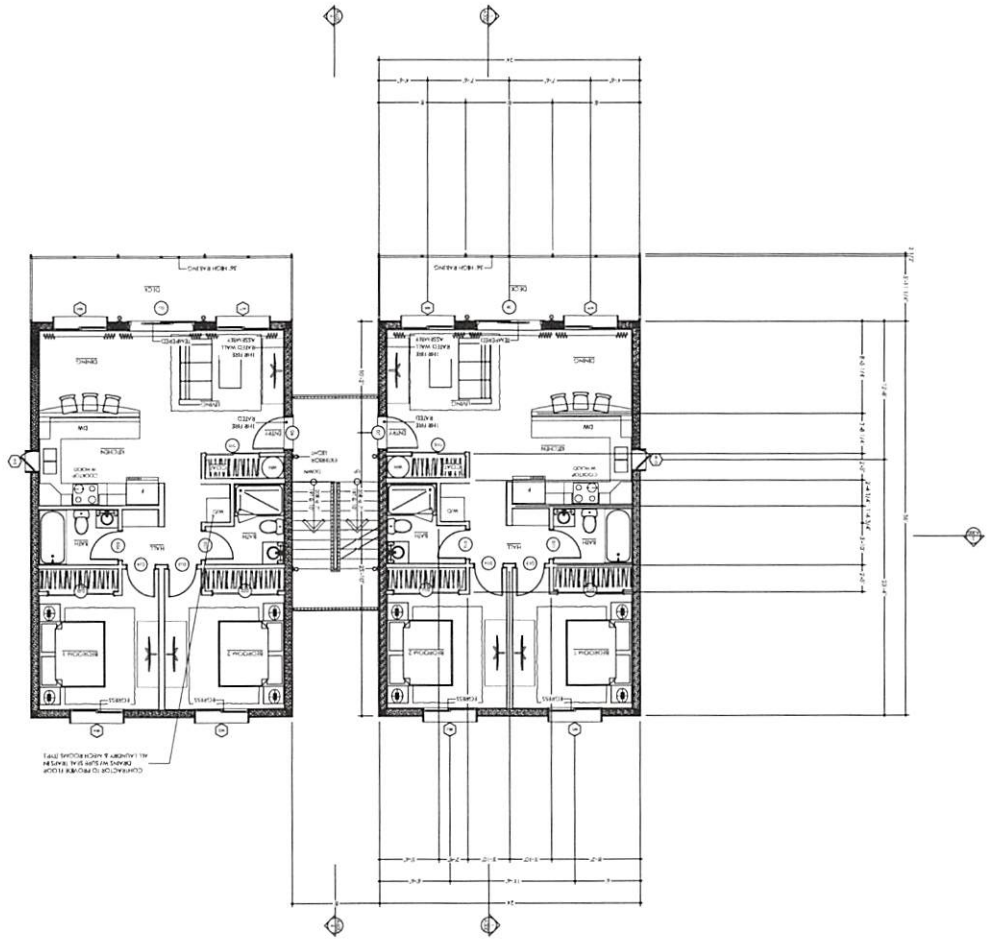
SITE PLAN

SECOND & THIRD FLOOR PLAN

SCALE: 1/8" = 1'-0"

A202

WESTVIEW UPPER UNITS
1255 W HWY 22 - JACKSON, WY 83001



CONNECTION TO FIRST FLOOR
ELEVATOR SHAFTS AND STAIRS
AT LANDING & HALLWAY AREAS

dp